

## UNCLASSIFIED

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ACTION AF-01

INFO	LOG-00	AID-01	CIAE-00	SMEC-00	OASY-00	DODE-00	DOEE-00
	EUR-01	H-01	TEDE-00	INR-00	IO-16	L-01	ADS-00
	NSAE-00	LSCE-00	OIC-02	OMB-01	PA-02	PM-00	PRS-01
	P-01	SNP-00	SP-00	SS-00	TRSE-00	T-00	USIE-00
	PMR-00	PRME-01	DRL-09	G-00	/038W		
					-----	6FAA66	071804Z /38

R 071506Z SEP 04  
FM AMEMBASSY KIGALI  
TO SECSTATE WASHDC 0009  
INFO AMEMBASSY KINSHASA  
AMEMBASSY KAMPALA  
AMEMBASSY DAR ES SALAAM  
AMEMBASSY BUJUMBURA  
AMEMBASSY BRUSSELS  
AMEMBASSY LONDON  
AMEMBASSY PARIS  
AMEMBASSY ADDIS ABABA

UNCLAS KIGALI 01509

DEPT. FOR AF/C, IO/UNP, ADDIS FOR AMBASSADOR RAWSON  
R.O. N/A  
MAGS: PREL, PHUM, EAID, RW, US  
SUBJECT: VISIT BY UN COMMISSION OF EXPERTS;  
RECOMMENDATION FOR U.S. ASSISTANCE  
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1. THE COMMISSION OF EXPERTS APPOINTED TO INVESTIGATE GENOCIDE AND CRIMES AGAINST HUMANITY IN RWANDA COMPLETED THEIR PRELIMINARY WORK HERE ON SEPTEMBER 5. DURING THEIR 5-DAY STAY IN RWANDA, THEY MET WITH HOST GOVERNMENT, UN, NGO AND OTHER OFFICIALS AND WERE ABLE TO MAKE A NUMBER OF SITE VISITS AND CONDUCT INTERVIEWS WITH WITNESSES. WE ARE CONFIDENT THAT, BASED ON THEIR FINDINGS, THEY WILL FILE AN INTERIM REPORT IN THE NEAR FUTURE RECOMMENDING THE ESTABLISHMENT OF AN INTERNATIONAL WAR CRIMES TRIBUNAL.

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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: ARCHIE M BOLSTER  
DATE/CASE ID: 18 MAR 2004 200303979

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2. THE PRESENCE OF THE COMMISSION HERE HAS PROVIDED AN EFFECTIVE FIRST RESPONSE TO BOTH RWANDA'S AND THE INTERNATIONAL COMMUNITY'S DESIRE FOR A THOROUGH INVESTIGATION INTO THE RECENT EVENTS IN RWANDA. IT IS IMPORTANT THAT THE TRIBUNAL NOW BE ESTABLISHED QUICKLY AND THAT SYSTEMATIC INVESTIGATIVE WORK BEGIN. THE COMMISSION HAS ASKED FOR BOTH FORENSIC EXPERTS AND EXPERIENCED INVESTIGATORS TO BEGIN TO GATHER EVIDENCE. A SIMILAR REQUEST WAS CONVEYED THROUGH THE UN IN LATE AUGUST.

3. WE BELIEVE THAT THE U.S. SHOULD RESPOND TO THIS REQUEST IN CONJUNCTION WITH OTHER DONORS. A TEAM OF PROFESSIONALS IN THE FIELD IS ESSENTIAL TO MAKE THE TRIBUNAL BOTH EFFECTIVE AND CREDIBLE. IT IS IMPORTANT THAT THESE BE WELL-QUALIFIED INDIVIDUALS FROM A NUMBER OF COUNTRIES. THEY NEED TO ARRIVE WITH ADEQUATE SUPPORT FOR EXTENDED WORK IN THE FIELD. MOREOVER, WE BELIEVE THAT THE DEPLOYMENT OF THESE EXPERTS TO THE FIELD SHOULD NOT AWAIT THE ESTABLISHMENT OF THE TRIBUNAL. INVESTIGATIV

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WORK NEEDS TO BEGIN PROMPTLY TO ENSURE ACCURATE AND COMPLETE DATA. THEREFORE WE PROPOSE THE DEPARTMENT CONSIDER THE FOLLOWING PROPOSAL:

4. THE U.S. WILL IDENTIFY AND FIELD A SMALL GROUP OF EXPERTS (PERHAPS ONE OR TWO FORENSIC EXPERTS AND FIVE OR SIX EXPERIENCED INVESTIGATORS). WE BELIEVE THERE ARE AMPLE QUALIFIED PROFESSIONALS IN THE U.S. WHO COULD BE IDENTIFIED QUICKLY FOR THIS MISSION, THROUGH SUCH GROUPS AS PHYSICIANS FOR HUMAN RIGHTS, INTERNATIONAL HUMAN RIGHTS LAW GROUP, AND OTHERS. THE U.S. GOVERNMENT WOULD PROVIDE THEM WITH ALL NECESSARY SUPPORT, INCLUDING VEHICLE, FUEL, FOOD AND FUNDING FOR OTHER REQUIREMENTS SUCH AS HOUSING AND INTERPRETER SERVICES. THIS RESPONSE WOULD BOTH ESTABLISH THE UNITED STATES' FIRM COMMITMENT TO THE PROCESS AND ENCOURAGE SIMILAR CONTRIBUTIONS FROM OTHER DONORS FOR A TRULY INTERNATIONAL EFFORT.

5. THE TEAM OF EXPERTS ASSEMBLED IN THIS WAY COULD OPERATE FOR THE TIME BEING UNDER A QUALIFIED ADMINISTRATOR IN COOPERATION WITH THE CENTER FOR HUMAN RIGHTS, WHICH

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CURRENTLY HAS A FOUR-PERSON TEAM IN KIGALI. HOWEVER, WE WOULD WANT TO SEE THE EXPERTS SUBSUMED UNDER THE AUTHORITY OF THE INTERNATIONAL TRIBUNAL ONCE THAT BODY IS ESTABLISHED. THERE WOULD NO DOUBT BE SOME PRESSURE FROM THE PROSECUTOR'S OFFICE UNDER SUCH A TRIBUNAL TO START FROM SCRATCH IN TERMS OF INVESTIGATIONS; HOWEVER, HAVING A QUALIFIED TEAM IN PLACE WOULD BOTH AVOID COMPETING BUREAUCRACIES AND SPEED THE WORK OF THE TRIBUNAL.

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1. PLEASE ADVISE ON WHETHER 116(E) OR OTHER FUNDING MIGHT BE APPROPRIATE AND AVAILABLE FOR THIS PURPOSE. THE COMMISSION IS EXPECTED TO ISSUE ITS PRELIMINARY FINDINGS SHORTLY AFTER MEMBERS RETURN TO GENEVA IN MID-SEPTEMBER. IT WOULD BE USEFUL TO BE ABLE TO MAKE AT LEAST A COMMITMENT IN PRINCIPLE TO THEIR REQUEST BY THAT TIME.

2. COMMENT: DESPITE THE PROBLEMS CAUSED BY BUREAUCRATIC DELAYS IN HIS ACCREDITATION, IO/UNP STANTON WAS A MOST EFFECTIVE LIAISON TO THE COMMISSION. HE WAS INSTRUMENTAL IN ENSURING THE COMMISSION'S COMMITMENT TO AN EARLY INTERIM REPORT RECOMMENDING AN INTERNATIONAL TRIBUNAL. CEC SARINI

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